

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 27547 of 2007

24.12.2007

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Between:

V. Laxman

... Petitioner

AND

The Hyderabad Urban Development Authority,
Rep. by its Secretary, Hyderabad & others

... Respondents

Counsel for the petitioner : Sri P. Srinivasulu

ORDER:

This writ petition is filed for a writ of mandamus to declare the action of the respondents in seeking to allot premises bearing House No. 28-LIG, Madhuban Residential Complex, Mailardevpally, Rajendernagar Municipality, Ranga Reddy District without issuing prior notice and registering the same in favour of the petitioner as illegal and arbitrary.

In his affidavit filed in support of the writ petition, the petitioner claimed that he purchased the above said property which was originally allotted to Sri Y. Suresh, S/o Y. Satyanarayana through proceedings dated 27.03.1989 issued by the respondents. The petitioner claimed that after the purported purchase, he requested the respondents to register the property in his name and that he is ready to pay installments, if any due from the original allottee. The grievance of the petitioner is that the respondents, without registering the property in

his name, are seeking to allot it to third parties.

I have heard Sri P. Srinivasulu, learned counsel for the petitioner.

In my view, this writ petition is wholly misconceived. The petitioner has not filed any scrap of paper to show that he purchased the property from Sri Y.Suresh and he has also not filed the document containing the conditions subject to which the property was said to have been allotted to Sri Y. Suresh on 27.03.1989. As per the petitioner's own showing, the alleged original allottee has not cleared the installments towards the value of the property. Unless the petitioner is able to prima facie show that the terms of allotment permit the allottee to sell the property in favour of the third parties even before clearing the dues and getting the property registered in his name, he will not have any locus to maintain this writ petition.

Subject to the above observations, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No. 36026 of 2007 filed by the petitioner for interim relief is also dismissed.

C.V.NAGARJUNA REDDY, J

24.12.2007

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